CONCLUSION

THE PETITION FOR A WRIT OF CERTIORARI SHOULD BE GRANTED.

Respectfully submitted,

CHARLES J. HYNES
District Attorney
Kings County

LEONARD JOBLOVE*
VICTOR BARALL
CAMILLE O'HARA GILLESPIE
Assistant District Attorneys

Kings County District Attorney's Office
350 Jay Street
Brooklyn, New York 11201-2908
(718) 250-2511

* *Counsel of Record for Petitioner*

August 3, 2005